

CHARLOTTE DIVISION

Case No. 12-31051
Chapter 7

Case No. 12-31050
Chapter 7

NOTICE OF PENDING MOTIONS

TAKE NOTICE that the Trustee in each of the above-captioned bankruptcy cases has filed two (2) motions in the Bankruptcy Court. Each of the Debtors in the above cases is a brother of the other, and together the Adkins Brothers owned numerous corporations, Limited Liability Corporations, and other assets. Among those assets owned was a Limited Liability Corporation known as Waterfront Group Stellar View, LLC, and a storage building located in Iron Station, North Carolina (owned as tenants in common).

TAKE FURTHER NOTICE that the Trustee has filed two (2) motions relating to these assets. As to Waterfront Group Stellar View, LLC, which is currently the owner of certain real estate lots that are not completely developed, and which is owned fifty percent (50%) by William N. Adkins and fifty percent (50%) by Mark R. Adkins, the Trustee has filed a motion seeking to sell the interest of each bankruptcy estate in Waterfront Group Stellar View, LLC for a purchase price of \$35,000.00. Upon approval, the purchase price would be paid and would be split equally between the two (2) bankruptcy estates. There are no financing contingencies in the contract, and the property would be transferred “as is, where is.”

TAKE FURTHER NOTICE that the Trustee has filed a Motion to Approve Settlement regarding possible avoidance actions relating to property previously stored in the Iron Station storage building. The building itself, subject to a Deed of Trust in favor of Peoples Bank, was in the process of foreclosure shortly after the filing of the bankruptcy cases, as a result of an order granting relief from stay to Peoples Bank. There were certain items in the storage building, including several commercial lawnmowers and related equipment. It was alleged that the equipment had been transferred to a non-related entity. The Trustee investigated the transfers and determined that there were potential avoidance actions concerning the transfers. In order to remove the property as the building was being foreclosed, and in an effort to protect any interest of the bankruptcy estates, an agreement was reached wherein \$17,500.00 was escrowed, pending a determination of avoidance actions by the Trustee. It has now been agreed that the \$17,500.00 would be paid to the bankruptcy estates of the Debtors, to be split evenly, in exchange for a release of any and all avoidance actions relating to the equipment previously stored in the Iron Station storage building. The Trustee personally examined the equipment stored, has a list of same, and has pictures as to same. The Trustee believes that the settlement of \$17,500.00 relating to the potential avoidance actions is reasonable, and is in the best interest of each bankruptcy estate and its creditors.

TAKE FURTHER NOTICE that any party in interest desiring to be heard with regard to said motions may request a hearing. Any request for hearing or response shall clearly identify the specific motion to which the response is directed, and it shall comply fully with Local Bankruptcy Rule 9013-1. Any response must be in writing and must be filed with the United States Bankruptcy Court, 401 West Trade Street, Charlotte, North Carolina, 28202, on or before fourteen (14) days from the date of this notice, with a copy served on R. KEITH JOHNSON, Trustee and Attorney for Trustee. If a request for hearing is filed, the Court will conduct a hearing on April 9, 2015, at 9:30 a.m. at the Charles R. Jonas Federal Building, 401 W. Trade Street, Charlotte, North Carolina. If no request for hearing is timely filed, the Court will rule on the motion on the basis of the record without a hearing and no further notice will be given.

TAKE FURTHER NOTICE that the motions and all attachments are available for examination at the United States Bankruptcy Court, 401 West Trade Street, Charlotte, North Carolina. The motions and attachments may also be accessed by PACER through the website of the U. S. Bankruptcy Court, www.ncwb.uscourts.gov.

This the 4th day of March, 2015.

/s/ R. Keith Johnson

R. Keith Johnson, Trustee
and Attorney for Trustee
NC State Bar No. 8840
1275 Highway 16 South
Stanley, North Carolina 28164
(704) 827-4200

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:)
MARK ROBERT ADKINS) **Case No. 12-31051**
) **Chapter 7**
Debtor.)

IN RE:)
WILLIAM N. ADKINS) **Case No. 12-31050**
) **Chapter 7**
Debtor.)

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on the below date, the undersigned served a copy of the Notice of Pending Motions either electronically or by depositing, enclosed in a postpaid wrapper, properly addressed to the following parties in interest, at their last known addresses as shown below, and to the entire creditor matrix, in a post office or official depository under the exclusive care and custody of the United States Postal Service:

Mark Robert Adkins
16309 Belle Isle Dr.
Cornelius, NC 28031

Richard S. Wright (ECF)
Attorney for Debtor

Linda Simpson (ECF)
Bankruptcy Administrator

This the 4th day of March, 2015.

/s/ R. Keith Johnson
R. Keith Johnson, Trustee
and Attorney for Trustee
NC State Bar No. 8840
1275 Highway 16 South
Stanley, North Carolina 28164
(704) 827-4200

Label Matrix for local noticing

0419-3

Case 12-31051

Western District of North Carolina

Charlotte

Wed Mar 4 15:08:20 EST 2015

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c/o McGuireWoods

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Woodbine, GA 31569-0099

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Coastal Community Bank

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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

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Atlanta, GA 30345-3205

Virginia Department of Taxation
Office of Customer Services
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Richmond, VA 23218-1115

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(u)Wells Fargo Bank, N.A.

(u)Wells Fargo Homebuilder Banking

End of Label Matrix
Mailable recipients 110
Bypassed recipients 11
Total 121